

DEPARTMENT OF CONSUMER AFFAIRS
COURT REPORTERS BOARD OF CALIFORNIA
MINUTES OF THE OPEN SESSION
MARCH 9, 2007

CALL TO ORDER

Ms. Karen Gotelli, Chair, called the meeting to order at 10:00 a.m. at the Sheraton Gateway Hotel Los Angeles Airport in Los Angeles.

ROLL CALL

Board Members Present: Karen Gotelli, Chair
John Hisserich, Vice Chair
Toni O'Neill, CSR
Yvonne Fenner, CSR
Greg Finch, Public Member

Staff Members Present: David E. Brown, Executive Officer
Laura Freedman Eidson, Staff Legal Counsel
Joseph Zimring, Deputy Attorney General

Legislative Staff Present: Kate Sproule, Senate Office of Research

BOARD MEMBERS' REPORT OF APPEARANCES

Ms. Toni O'Neill attended a "meet and greet" with the Chairpersons of the Senate and Assembly Business and Professions Committee (SABPC) in January 2007 to learn about their goals for the upcoming legislative year. She also attended the annual DRA convention in Long Beach in February 2007. Ms. O'Neill also completed her required Board training by attending the orientation, sexual harassment and ethics classes that are required for all Board members.

Ms. Gotelli attended the Chair Appreciation event in November 2006 hosted by Secretary Marin and met many Chairs from other Boards. Ms. Gotelli also attended the "meet and greet" with the Chairpersons of the SABPC. She also attended the annual DRA convention.

Ms. Yvonne Fenner participated in Humphrey College's advisory committee in December 2006 to learn about the implementation of an online program. In addition, Ms. Fenner briefly visited the most recent exam workshop where subject matter experts in the field of court reporting were preparing the upcoming exam. She also attended the "meet and greet" with the Chairpersons of the SABPC. Ms. Fenner also completed her required Board training by attending the orientation, sexual harassment and ethics classes that are required for all Board members. In addition, Ms. Fenner attended the annual DRA convention. She also attended the Northern California Court Reporters Association (NCCRA) monthly meeting.

Mr. Finch attended the “meet and greet” with the Chairpersons of the SABPC. He also attended the NCCRA monthly meeting.

Dr. Hisserich attended the “meet and greet” with the Chairpersons of the SABPC.

As a result of the Board being the only full Board in attendance at the “meet and greet” in January 2007, the Board received special recognition from the Department of Consumer Affairs.

PUBLIC COMMENT

A member of the audience expressed appreciation for the Board member’s attendance at the DRA convention.

Kelly McCarthy, president of the California Official Court Reporters Association (COCRA) stated that their convention will be April 28 in San Carlos and she invited the Board members to attend.

MINUTES OF THE NOVEMBER 10, 2006 BOARD MEETING

Ms. Gotelli asked if Board members had reviewed the minutes of the November 10, 2006 Board meeting and if there were any changes. Ms. O’Neill asked if approval of the minutes could wait until the arrival of Dr. Hisserich, who was running late for the meeting. Upon the arrival of Dr. Hisserich, Mr. Finch made a motion to adopt the minutes as submitted. Dr. Hisserich seconded the motion; **MOTION CARRIED.**

BOARD 2007-08 STRATEGIC PLAN

Ms. Gotelli asked if there were any changes or suggestions to the current strategic plan. Ms. Fenner made a motion to adopt the strategic plan as presented. Ms. O’Neill seconded the motion; **MOTION CARRIED.**

BOARD STRATEGIC GOALS

Ms. Fenner reported on the status of the identity theft and privacy issues goal (PS2). Townhall meetings are scheduled for June 8 and July 13 to hear comments and gather information on both privacy and audiosync issues.

Ms. Gotelli stated that a committee has been formed to address several of the Board goals relating to technology (PS1, PS3, OE6).

Ms. Fenner informed the Board that a meeting has been scheduled with lobbyists and association representatives to review the current legislative climate before pursuing continuing education for court reporters (PQ3).

Ms. Gotelli announced the completion of the Board’s first newsletter which will be mailed to all licensees, everyone on the interested person’s mailing list, all schools and will be posted on the Board’s website (CI3).

BOARD STRATEGIC GOAL PQ2

Board goal PQ2 relates to the Board's role in ensuring qualifications for realtime reporting, evaluating options and determining how to proceed. This goal is being discussed separately from the other Board goals so that the Board can discuss it and take action on it, if necessary.

Ms. Laura Freedman Eidson clarified that the Board does not have the statutory authority to add higher levels of proficiency requirements, in this case, minimum realtime qualifications, on top of the current minimum competency requirements now mandated for all licensees. Mr. Finch asked the question how an attorney who hires a realtime reporter can be guaranteed that that reporter is competent in realtime.

RECESS

Ms. Gotelli requested a 5-7 minute recess.

RECONVENE

The Board reconvened at 11:05 a.m.

BOARD STRATEGIC GOAL PQ2 (continued)

Members of the audience who represent schools responded to Mr. Finch's question by commenting on their methods of certifying realtime.

COCRA and DRA have formed a task force to establish a comprehensive realtime exam which will serve to certify realtime reporters at a high (96%) competency level.

The Board decided to let the next occupational analysis determine the need to add realtime qualifications and, in the mean time, allow industry standards to govern realtime qualifications. The Board's authority is to discipline reporters who represent themselves as realtime competent, when they are not realtime competent.

In addition, the Board directed Mr. Brown to ensure that this subject is covered in Board goal CI2 which is the consumer information and communication plan.

EO REPORT

Mr. David Brown reviewed the following documents which were included in the Board member's packets: the Board's budget; county breakdown of number of current licensees; statistics from November exam; current summary of status of exams; list of schools; description of compliance reviews; report of enforcement statistics; and a six-month summary of disbursements of Transcript Reimbursement Fund.

Mr. Brown reported on the status of having a court reporter transcribe a Board meeting. Normally, this type of service would be established by contract using the state bid process. Mr. Brown explained that bids have already been submitted under the State's Master Service Agreement process and that the Board could use these bids to establish a contract.

Board staff counsel pointed out that all discussions at the Board meeting and material are subject to disclosure under the public records act, which could include the shorthand notes of a CSR. After much discussion regarding the concept of a court reporter transcribing the meeting versus tape recording the meeting, it was decided that taping the Board meeting and having staff transcribe the minutes would continue for now. Ms. O'Neill made a motion to table the concept of using a court reporter until the July Board meeting. Mr. Finch seconded the motion; **MOTION CARRIED.**

FULL RECOGNITION OF GOLDEN STATE COLLEGE OF COURT REPORTING AND CAPTIONING

Ms. Gotelli stated the school has met all the requirements to receive full recognition from the Board. Mr. Finch made a motion to grant full recognition of Golden State College of Court Reporting and Captioning. Ms. Fenner seconded the motion; **MOTION CARRIED.**

STATUS OF BUREAU FOR PRIVATE POSTSECONDARY AND VOCATIONAL EDUCATION (BPPVE/PROPOSED CHANGES TO B&P CODE 8027)

Ms. Eidson stated BPPVE is scheduled to sunset as of July 1, 2007. There was an amendment to extend their authority and provisions for another year but it was vetoed by the Governor in 2006. Business and Professions Code 8027 (a) requires that if the school is not a public school or accredited by the Western Association of Schools and Colleges (WASC) then it must be approved by the Board and the BPPVE. Ms. Eidson indicated DCA has developed language to rectify this problem. The proposed change is as follows:

8027(a) As used in this section, "school" means a court reporter training program or an institution that provides a course of instruction approved by the Board and the Bureau for Private Postsecondary and Vocational Education, or its successor agency, is a public school in this state, or is accredited by the Western Association of Schools and Colleges. If a program or an institution that provides a course of instruction has not received approval under Chapter 7 of Part 59 of the Education Code (commencing with section 94700) due solely to Chapter 7 of Part 59 of the Education Code becoming inoperative on July 1, 2007, only the board's approval of the program or the course of instruction is required.

After further discussion, Mr. Finch made a motion to support the statutory changes to Business and Professions Code section 8027(a) with the additional language, "or its successor agency". Dr. Hisserich seconded the motion; **MOTION CARRIED.**

The Board directed staff to track the bills which will carry the changes.

FUTURE MEETING DATES

The Board agreed on the following meeting dates:

- Thursday, May 3, 2007 in Sacramento.
- July 13, 2007 in Los Angeles.

ADJOURNED

Ms. Gotelli adjourned the meeting at 12:20 p.m.

KAREN A. GOTELLI
Board Chair

DATE

DAVID E. BROWN
Executive Officer

DATE